

(2020-110)

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

MARIA P. TREVINO	§	
	§	CIVIL ACTION NO. _____
VS.	§	
	§	
IEA CONSTRUCTORS, LLC and	§	
JONAS BONTRAGER	§	JURY DEMANDED

**NOTICE OF REMOVAL**

Defendants IEA CONSTRUCTORS, LLC and JONAS BONTRAGER, file this Notice of Removal to the United States District Court for the Southern District of Texas, Brownsville Division, pursuant to 28 U.S.C. § 1441, based on the following facts, which show that this case is properly removable:

**PROCEDURAL BACKGROUND**

1. On February 19, 2020, Plaintiff commenced an action in the 107<sup>th</sup> Judicial District Court of Cameron County, Texas, Cause No. 2020-DCL-00885, styled Maria P. Trevino v IEA Constructors, LLC and Jonas Bontrager. Plaintiff alleges Defendants are liable for negligence under personal liability theory.

2. On February 25, 2020, Defendants became aware of said lawsuit and the filing of Plaintiff's Original Petition.

3. At the time suit was filed, and continuing to the present, this Court had, and still has, original subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1). There is complete diversity of citizenship between Plaintiff and Defendants. There are no statutory bars against removal to the United States District Court, Southern District of Texas.

4. The amount in controversy exceeds \$75,000.00, exclusive of interests and costs. See Pet. Para 1.

### **PARTIES**

5. At the time Plaintiff's Original Petition was filed and continuing to the present, Plaintiff is alleged to be a citizen of, and domiciled in, the State of Texas. *See* Pet. Para. 2.

7. At the time Plaintiff's Original Petition was filed and continuing to the present, Defendant IEA Constructors was and still is a Indiana Corporation with a principal place of business in Clinton, Indiana.

8. Defendant, Jonas Bontrager is now, and was at the time of removal, and at the time of the filing of the instant lawsuit, a natural person and citizen of South Dakota.

9. There is complete diversity between the parties.

10. A copy of this Notice of Removal was filed with the clerk of the State Court in which the original action was filed, as required by law.

11. Pursuant to Local Rules 3 and 81, this Notice of Removal is accompanied by a Civil Cover Sheet and copies of the following attached documents:

- a. Pleadings asserting causes of action (Exhibit A);
- b. All orders signed by the State Judge (Exhibit B)
- c. The state court docket sheet at the time of removal (Exhibit C);
- d. An index of matters being filed (Exhibit D);
- e. A list of all attorneys, including their addresses, telephone numbers, and the parties they represent (Exhibit E);

### **PRAYER**

For these reasons, Defendants IEA CONSTRUCTORS and JONAS BONTRAGER, request that the Court take jurisdiction of this action to its conclusion and final judgment, to the exclusion

of any further proceedings in State Court, in accordance with law.

Dated: February 25, 2020.

Respectfully submitted,

“/s/” Anthony B. James

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*Attorneys for Defendants*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing, Notice of Removal has been served on the 25<sup>th</sup> day of February, 2020 to all attorneys of record as follows:

Alexander M. Begum  
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*Attorneys for Plaintiff*

“/s/” Anthony B. James

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